



Planning and Zoning
Department of Transportation and Development
 Development Services Building
 150 Beaver Creek Road | Oregon City, OR 97045
 503-742-4500 | zoninginfo@clackamas.us
 www.clackamas.us/planning

STAFF USE ONLY	
Staff Initials:	File Number:

Land use application for:

FLOODPLAIN DEVELOPMENT

(Development in the Floodplain Management District)

Application Fee: \$1,400

APPLICANT INFORMATION			
Applicant name:	Applicant email:	Applicant phone:	
Applicant mailing address:	City:	State:	ZIP:
Contact person name (if other than applicant):	Contact person email:	Contact person phone:	
Contact person mailing address:	City:	State:	ZIP:

PROPOSAL
Brief description of proposal:

SITE INFORMATION		
Site address:	Comprehensive Plan designation:	Zoning district:
Map and tax lot #: <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i> <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i> <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i>	Land area:	
<i>Adjacent properties under same ownership:</i> <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i> <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i>		

Printed names of all property owners:	Signatures of all property owners:	Date(s):
---------------------------------------	------------------------------------	----------

<i>I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.</i>	
Applicant signature:	Date:

A. Review applicable land use rules:

This application is subject to the provisions of [Section 703, Floodplain Management District \(FMD\)](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

B. Turn in all of the following:

- Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- Application fee:** The cost of this application is **\$1,400**. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots;
 - Contiguous properties under the same ownership;
 - Size, location, and spatial arrangement of all proposed and existing development, including structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
 - Setbacks of all structures from lot lines and easements;
 - Areas of cut, fill, and grading, and any riprap, other stream bank protection measures, dams, impoundments, and channel work;
 - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.);
 - Location and elevation of streets, utilities, water supplies, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
 - Elevations of the development site and the 100-year floodplain contour;
 - Pertinent structure, fill, or storage elevations; and
 - Soil types.

Note: All elevations shall be referenced to the North American Vertical Datum of 1988 (NAVD 88).

- Development plans:** Provide specifications for building construction and materials, loads and forces, and effect on soil bearing pressures, erosion control, floodproofing, filling, dredging, grading, channel improvement, storage of materials, water supply, and sanitary facilities.
- Watercourse alteration/relocation description:** Show in attached plans the extent to which any watercourse will be altered or relocated as a result of proposed development.

- **Elevation or floodproofing certificate:** Provide either an elevation certificate or a Federal Emergency Management Agency National Flood Insurance Program Floodproofing Certificate (for Non-Residential Structures). In either case, the currently effective form shall be used, and it shall be completed in accordance with the accompanying instructions, and based on construction drawings and proposed site locations of development. The determination regarding which certificate is required shall be made based on the nature of the proposed development consistent with National Flood Insurance Program regulations.

- **Profiles/cross sections:** Include accurate profiles/cross sections, drawn to-scale, of all proposed development, including:
 - Elevations of the lowest floor, including the basement, and next higher floor of residential structures and elevated (non-floodproofed) commercial or industrial structures;
 - Elevations of duct work, furnaces, hot water heaters, electrical service, air conditioning units, fuel storage tanks, and other equipment, machinery, and appliances;
 - Elevation to which all structures, equipment, machinery, and appliances will be flood-proofed or wet-floodproofed;
 - Locations and area in square inches of flood vents for residential and non-residential structures;
 - Elevations, length, width, thickness, and materials for riprap and other stream bank protection measures;
 - Elevations, length, width, thickness, materials, and source of materials for areas of fill;
 - Certification by a professional engineer or licensed architect that the floodplain development methods of all elements of the proposed development meet the applicable criteria of ZDO Subsections 703.10 and 703.11, while conforming to the applicable Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) standards; and
 - Certification from a professional engineer or registered architect that cut and fill is balanced if cut and fill is necessary for the project.

- **For development in the floodway:** Provide the following additional information/documentation for specific development types in the regulatory floodway:
 - **Water-dependent uses (defined in ZDO Subsection 703.05):** Provide a “no-rise” certification. (This is a certification that is provided by a professional engineer or licensed architect that demonstrates through accompanying hydrologic and hydraulic analyses, performed in accordance with standard engineering practice and National Flood Insurance Program rules and regulations, that an encroachment within the floodway will not result in any increase in the flood levels during the regulatory flood discharge. The supporting technical data should be based on the standard step-backwater computer model used to develop the 100-year floodplain shown on the Flood Insurance Rate Map.)
 - **Riprap or other structural stream bank protection methods:** Provide plans and other written evidence showing how the development will comply with ZDO Subsections 703.07(B), 703.10, and 703.11.
 - **Bridges and other stream crossings:** Provide a “no-rise” certification or a Conditional Letter of Map Revision (CLOMR), followed by a Letter of Map Revision (LOMR), may be required instead of a “no-rise” certification, pursuant to ZDO Subsections 703.07(D) and 703.10(G).
 - **Hydroelectric facilities:** Provide a “no-rise” certification.
 - **Replacement, substantial improvement, or repair of substantial damage of a structure that was constructed prior to establishment of, or revisions to, the floodway:** Provide plans and other written evidence showing how the development will comply with ZDO Subsections 1206.06 and 703.07(E)(2). If an increase in ground coverage is proposed, also provide a “no-rise” certification.

Note: Fish enhancement projects in the floodway – including stream crossings that are a direct component of such projects – that are sponsored or approved by a state or federal agency require approval of a separate Type I application for a Floodway Fish Enhancement permit.

C. Answer the following questions:

Accurately answer the following questions in the spaces provided. Attach additional pages, if necessary.

1. Describe the proposed development. Identify all proposed structures, all improvements, such as grading, erosion control measures, and vegetation removal, and all proposed infrastructure, access, and utility improvements:



2. Explain how all necessary permits have or will be obtained from those federal, state, or local governmental agencies from which prior approval is required:

3. a. Is any development proposed in the floodway?
- NO (*Skip to Part D*)
 - YES, and the submittal requirements for development in the floodway listed on Page 3 of this application are attached. (*Answer Question 3.b*)
- b. Check the box next to all of the types of development proposed in the floodway:
- These water-dependent uses: _____
 - Riprap or other structural stream bank protection methods
 - Bridges and other stream crossings
 - Hydroelectric facilities
 - Replacement, substantial improvement, or repair of substantial damage of structure that was constructed prior to the establishment of, or revisions to, the floodway

D. Explain in an attached narrative and plans:

In a combination of an attached written narrative and plans, explain all of the following:

1. Whether any proposed development includes alteration of a watercourse and, if so, how maintenance will be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished;
2. Whether the proposal includes development of *non-residential structures* (such as detached garages and storage sheds solely used for parking and limited storage that are not greater than 400 square feet in area and not exceed one story, pole barns used for storage of farm machinery and equipment, small garden sheds, and structures used in conjunction with agricultural activities) and, if so, how the development will meet the criteria of ZDO Subsections 703.12, *Exception* and 703.13, *Variances*;
3. If grading is proposed, how much cut and fill (in cubic yards) and where on the subject property the grading will occur; and
4. How the project will meet all applicable provisions of ZDO Subsections 703.10, *General FMD Standards* and 703.11, *Specific Standards*. For example, explain how the project will comply with the anchoring methods in Subsection 703.10(A) for development requiring anchoring, with Subsection 703.10(D) standards for placement or substantial repair of a manufactured dwelling, and with Subsection 703.11(A)(1) for residential construction in AE Zones with designated floodways.

FAQs

When is a Floodplain Development permit required?

The County's Zoning and Development Ordinance (ZDO) allows for development, including the construction of new buildings, grading, cutting, and filling, within the floodplain of rivers and streams, subject to certain standards. Development laterally within the Floodplain Management District (FMD), as defined in ZDO Section 703, requires a Floodplain Development permit, unless the development is exempted from this permit requirement by Subsection 703.06 or if it is a fish enhancement project in the floodway – including stream crossings that are a direct component of such projects – that are sponsored or approved by a state or federal agency.

What is the permit application process?

Floodplain Development permits are subject to a "Type II" land use application process, as provided for in [Section 1307](#) of the ZDO. Type II decisions include notice to owners of nearby land, the Community Planning Organization (if active), service providers (sewer, water, fire, etc.), and affected government agencies. If the application is approved, the applicant must comply with any conditions of approval identified in the decision. The Planning Director's decision can be appealed to the County Land Use Hearings Officer.

What is needed for the County to approve a land use permit?

Development in the floodplain *may* be permitted after an evaluation by the County of applicable standards of the ZDO. The applicant is responsible for providing evidence that their proposal does or can meet those standards. In order to address the standards, the information requested in this application should be as thorough and complete as possible. A permit will only be approved or denied after a complete application is received and reviewed. The County approves an application only if it finds that the proposal meets the standards or can meet the standards with conditions.

How long will it take the County to make a decision about an application?

The County makes every effort to issue a decision on a Type II land use application within 45 days of when we deem the application to be complete. State law generally requires a final County decision on a land use permit application in an urban area within 120 days of the application being deemed complete, and within 150 days for a land use permit in a rural area, although there are some exceptions.

If an application is submitted and then withdrawn, will a refund be given?

If a submitted Type II application is withdrawn before it is publicly noticed, 75% of the application fee paid, or the fee paid minus \$250, whichever is less, will be refunded. If a submitted application is withdrawn after it is publicly noticed, but before a decision is issued, 50% of the application fee paid, or the fee paid minus \$500, whichever is less, will be refunded. No refund will be given after a decision is issued.

Who can help answer additional questions?

For questions about the County's land use permit requirements and this application form, contact Planning and Zoning at **503-742-4500** or zoninginfo@clackamas.us. You can also find information online at the Planning and Zoning website: www.clackamas.us/planning.

Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or drenhard@clackamas.us.

503-742-4545: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод?

翻译或口译? | Cần Biên dịch hoặc Phiên dịch? | 번역 또는 통역?